



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty Vallis, James H., sole practitioner, Kingsburg (for Petitioner Magdalena Rangel, Administrator)

Status Hearing Re: Approval of Sale

DOD: 9/14/2009	<p>MAGDALENA RANGEL, sister, was appointed Administrator with Full IAEA with bond of \$60,000.00 on 7/12/2010. Amended Order for Probate was signed on 8/18/2010 granting the Administrator Limited IAEA without bond and Letters issued on 8/18/2010.</p> <p>Minute Order dated 8/9/2010 from the status hearing on filing of the proof of bond states the Court grants the request for no bond, but then grants only limited authority in lieu of full authority.</p> <p>Report on Status of Residence Sale filed 2/9/2011 for the status hearing on 2/22/2010 (continued from 2/7/2011) for the sale of the real property states that Petitioner contacted a broker and was informed that due to the condition of the home, the broker declined to list the property until habitability corrections are made.</p> <p>Minute Order dated 2/22/2011 states the Court orders a reappraisal (Order on Report of Status of Residence Sale signed on 3/2/2011 reiterates the order for reappraisal). Matter is set on 6/21/2011 for status hearing on approval of sale.</p> <p>Reappraisal for Sale filed on 4/18/2011 indicates a reappraised value of the ½ interest in real property at \$42,500.00. (Note: Final Inventory and Appraisal filed 9/1/2010 indicates the real property was valued at \$55,000.00.)</p> <p>Affidavit of Publication filed on 5/24/2011 shows publication was made in the Fresno Bee indicating the Kingsburg real property was to be sold on 5/23/2011 at private sale at the office of Attorney Vallis for \$85,000.00 cash on an "as is" basis.</p> <p style="text-align: center;">~Please see additional page~</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 062111, 011012, 040312		Continued from 4/3/2012. The following issue from the last hearing remains:
Aff.Sub.Wit.		1. Need Report of Sale and Petition for Order Confirming Sale of Real Property (mandatory-use Judicial Council form DE-260) pursuant to Probate Code § 10308(a), which requires proof of 15 days' posting by the Court of the notice of time and place of hearing pursuant to Probate Code §§ 10308(c) and 1230(a).
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Aff. Posting		Reviewed by: LEG
Status Rpt		Reviewed on: 7/3/12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 2 - Castro

Minute Order dated 6/21/2011 [Judge Gallagher] from the last status hearing states: Counsel advises the Court that the property has not been sold. Counsel further advises that they had a buyer, but the bank withdrew its support. The Court is informed that there are seven heirs. The Court continues the matter to 1/10/2012. Counsel is directed to file a report of sale if there is a sale of the property in the interim.

Minute Order dated 1/10/2012 states Counsel informs the Court that the highest bid received on the house is **\$40,000.00**. Matter continued to 4/3/2012.

Pro Per McFadden, Jaimie (Pro Per Petitioner, mother)
 Atty Lor, Pahoua C., sole practitioner (for Co-Guardians Teresa Morales and Marcelino Morales)

Petition for Visitation

Serenity Age: 7 years DOB: 8/30/2004	JAIMIE MCFADDEN , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Blake Age: 8 years DOB: 6/14/2003	TERESA MORALES paternal grandmother of minor Serenity, and MARCELINO MORALES , paternal step grandfather of Serenity, were appointed Co-Guardians on 1/6/2011.	
Cont. from 052212	Co-Guardians were sent notice by mail on 5/2/2012.	Continued from 5/22/2012. Minute Order states the Court continues the matter to 7/10/2012. The following temporary visitation order is put in place pending the next hearing:
Aff.Sub.Wit.	FATHER of Serenity: STEVEN ARIAS ; sent notice by mail 5/2/2012;	
✓ Verified	FATHER of Blake: ALFREDO VALDEZ ; Court dispensed with notice on 1/6/2011 unless his residence becomes known;	<ul style="list-style-type: none"> • Visitation between the children and their mother shall take place on the 1st, 3rd, and 5th Saturdays of the month (i.e., 6/2/2012, 6/16/2012, 6/30/2012 and 7/7/2012) from 9:00 a.m. to 6:00 p.m.; • Visitation shall be supervised by Beverly Kendrick; • Pick-up and delivery of the children to be arranged between the mother and Teresa Morales; • Mother is ordered to provide a copy of her license and insurance to counsel; counsel is directed to prepare the order; • The Court orders the Court Investigator to meet with Steven Arias, mother, and Teresa Morales.
Inventory	Paternal grandfather of Serenity: Abel Arias	
PTC	Paternal grandparents of Blake: Unknown	The following issues from the last hearing remain:
Not.Cred.	Maternal grandfather: Thaddeus McFadden	
✓ Notice of Hrg	Maternal grandmother: Beverly Kendrick ; sent notice by mail 5/2/2012;	<ol style="list-style-type: none"> 1. Need proof of mailed service of the Notice of Hearing with a copy of the Petition pursuant to Probate Code §§ 1460 and 1511 for the following persons: <ul style="list-style-type: none"> • Abel Arias, paternal grandfather of Serenity; • Paternal grandparents of Blake; • Thaddeus McFadden, maternal grandfather.
✓ Aff.Mail w/		
Aff.Pub.		Reviewed by: LEG
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Pers.Serv.		Reviewed on: 7/3/12
Conf. Screen		Updates:
Letters		Recommendation:
Duties/S		File 3 – Arias & Valdez
Objections		
Video Receipt		
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9202		
Order x	Note for background: Minute Order dated 1/6/2011 from the hearing on the Petition for Appointment of Guardian states in pertinent part that the Court orders visitation with the mother, Jaimie McFadden, by mutual agreement. Arrangements will be made through Teresa Morales.	
Aff. Posting		
Status Rpt		
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Citation		
FTB Notice		
	~Please see additional page~	

Petitioner states:

- The previous Court order regarding visitation was to be made by “mutual agreement” and arrangements made through Teresa Morales, but this has failed to work;
- At that time, when she was permitted to visit, Teresa (Guardian) usually supervised Petitioner’s visits at Teresa’s place of work, and it was only an hour at a time;
- The Morales have made it difficult for her and her husband to visit, especially being supervised, and currently they are not allowing her or her husband to see the children at all;
- The Morales have allowed a few phone calls, and when she speaks to the children on the phone, they tell them that they miss them, and they can hear it in their voices;
- Petitioner asks the Court to grant her more time with her children and that visits be unsupervised;
- If possible, she is asking for **every weekend starting at 5:00 pm on Friday evening and ending at 5:00 pm on Sunday evening, and two nights a week she would like to pick the children up for an hour or two;**
- **She is asking for holidays, and also to have them at her residence for 1 month at a time during the summer,** to be able to take them camping and fishing;
- She is able to provide all transportation, since it seemed to be a problem in the past;
- Her husband is employed and works 35 hours plus per week;
- They now have a home for the kids to visit, and they would have plenty of room when they come over;
- They are currently attending services for church at the Fortress of Truth in Visalia, and they’d love to take the kids; it has filled a void in their lives;
- They have made many mistakes, but are striving to get their lives back in order for the sake of themselves and most of all their beautiful children.

Memorandum of Points and Authorities in Response to Jaime McFadden’s Request for Visitation filed by Teresa Morales and Marcelino Morales on 5/18/2012 states:

- Theresa Morales’ son, Steven Arias, is the biological father of Serenity;
- The older child, Blake, is Jaimie McFadden’s son from a previous relationship and is Serenity’s half-brother;
- Ms. McFadden and Mr. Arias have another child together, Legend Arias, who is in their care;
- Theresa Morales married Marcelino Morales (Co-Guardians) on 9/20/1997, and at the time they began dating ~7 years ago, Blake was only 1 year old;
- Throughout the time that Ms. McFadden and Mr. Arias have been together, they have struggled with drug addiction and caring for their children;
- In 2005, Theresa filed a guardianship petition for Serenity in Kings County Superior Court (Case #05P0035); at the time of that petition, both Ms. McFadden and Mr. Arias were in custody on drug charges; Serenity was only 5 months old when she came into the care of the Morales, and Blake was put into the care of his maternal grandparents;
- When Serenity was ~2 years old, Ms. McFadden petitioned the [Kings County] Court to terminate the guardianship, and on 6/27/2007, the Court returned Serenity into Ms. McFadden’s care and granted the Morales visitation rights;
- In September 2010, the Morales petitioned the [Fresno] Court for guardianship of both Serenity and Blake, and on 1/6/2011 the Court granted the Morales’ petition;
- Immediately after leaving the courtroom [from the hearing on 1/6/2011, the parties discussed a visitation schedule; visits were to be arranged by the parties (*please refer to Exhibit 1, Declaration of Theresa Morales*);
- The visits only commenced for ~2 months after 1/6/2011;

~Please see additional page~

Memorandum of Points and Authorities in Response to Jaime McFadden's Request, continued:

- On one of the visits taking place on 2/14/2011, at Chuck E. Cheese, Ms. McFadden bit Serenity's cheek causing her to cry and the area to become red and inflamed (*please refer to Exhibit 2, Declaration of Joe Reyes*);
- Since that time, Ms. McFadden and Mr. Arias did not visit or contact the children until the early part of 2012;
- Ms. McFadden has failed to demonstrate a change in circumstances warranting visitation because although she alleges Mr. Arias is working, it is unknown when he started and how long he has been at this job; she does not indicate anything that would lead a person to evaluate the stability of the home she says she now has; and she has not put forth any evidence of their drug usage, and it is unclear if they are still using drugs or if they are seeking appropriate care and intervention for their addiction;
- Even if Ms. McFadden has demonstrated a change in circumstances, the visits would be detrimental to the children given past visits; Ms. McFadden has not visited with the children in over a year, and the last couple of visits resulted in the children saying disturbing things, including Serenity saying she was going to burn in hell for having short hair;
- In addition, when Ms. McFadden visited with the children on 2/14/2011 under adult supervision, she still managed to elicit fear and pain in them by biting Serenity on the cheek and causing a red visible mark to be left (*see Declaration of Joe Reyes and photo attached as Exhibit 3*);
- All of this erratic behavior is not in the best interest of the children; in fact, it is harmful to their physical and emotional well-being;
- Based on the foregoing, Mr. and Mrs. Morales ask that no visitation be granted at this time;
- In the alternative, if visitation is granted, Mr. and Mrs. Morales ask that the visits be supervised at an agency, that the parties undergo drug testing and/or treatment, and psychological evaluations are conducted on both Mr. Arias and Ms. McFadden in the best interest of the children.

Declaration of Theresa Morales attached to the Memorandum of Points and Authorities states:

- As soon as they left the courtroom on 1/6/2011, Ms. McFadden and she agreed that visits could take place at her workplace, and she agreed that she was willing to drive to Sanger to pick up the children and return to Fresno so that the children could visit with Ms. McFadden and her son, Steve Arias;
- Dates and summary of visits from 1/7/2011 to 1/14/2011 went well;
- Visit on 1/17/2011 at Fashion Fair Mall: on this day, Joe Reyes accompanied the children and Ms. Morales to the visit, and Ms. McFadden showed up with her infant son, Legend; for the first 20 minutes of the visit, Ms. McFadden was on the phone talking with someone and did not interact with Blake or Serenity, and Mr. Reyes ended up babysitting her son Legend because Ms. McFadden was occupied with her phone call;
- Visits from 1/22/2011 to 2/4/2011, were either cancelled by Ms. McFadden, she did not show up, or she showed up late;
- Ms. Morales cancelled the visit on 2/5/2011 because they had tickets to Ice Capades;
- Visit on 2/14/2011 was at Chuck E. Cheese and Mr. Reyes took the kids to see Ms. McFadden, and she ended up biting Serenity on the cheek (*see photo attached as Exhibit 3*);
- On 2/19/2011 Ms. McFadden called for a visit but she told her there would be no visits because of what happened at Chuck E. Cheese; Ms. Morales spoke to Ms. McFadden's mother Beverly about this situation, and Beverly agreed the visits should be stopped;

~Please see additional page~

Declaration of Theresa Morales, continued:

- Visit on 2/6/2012: She agreed to a visit with Ms. McFadden, Blake and Serenity at their maternal grandmother's; when the children returned from the visit, they starting talking about "going to hell," and Serenity stated her maternal grandmother told her she was going to hell because she cut her hair short; Serenity cried the next day stating she was ugly because of her short hair, and obviously what was told to her severely impacted her;
- Easter Sunday 2012: They took the kids to Roeding Park to have lunch with Colby McFadden, who is Ms. McFadden's brother, and his significant other, Joe Reyes; Colby and Joe have been committed to one another for many years; when they arrived at the park, Blake told Joe that he was not his uncle and that Joe and Colby were "going to hell;" when she and Mr. Morales talked to the children about this, they learned this was being told to them by Ms. McFadden and her mother, Beverly; the children also state their mother was saying "mean" things to them about the Morales;
- She and Mr. Morales do not want to keep Ms. McFadden from seeing their children; however, they do not believe the visits are in the best interest of the children; Ms. McFadden, injured her own child and went almost a year without contacting them;
- Ms. McFadden is not consistent and only visited with the children for the first couple of months after they were appointed guardians;
- She believes she and her husband have done everything possible to try to have the children maintain a relationship with their parents; however, the visits are causing the children to act out, say mean things, and are not consistent at all; this is causing much stress on us and the children;
- She believes Ms. McFadden and Mr. Arias need to grow up and become more mature, and to undergo parenting classes; if visitation is granted, they need to be supervised at an agency;
- She believes Ms. McFadden and Mr. Arias need to undergo psychological evaluations and that they need to be drug tested due to their past history of drug use;
- She wants her grandchildren to flourish, and to maintain a relationship with their parents, but she needs their parents to show her and everyone that they are responsible enough to handle visits.

Declaration of Joe Reyes attached to the Memorandum of Points and Authorities states:

- He is known to Serenity and Blake as their uncle;
- On 2/14/2011, Theresa Morales asked him to supervise a visit between Blake, Serenity and Ms. McFadden at Chuck E. Cheese at 2:00 p.m.
- He and the children waited for Ms. McFadden to arrive, which she finally did at 3:00 p.m.; the visit lasted ~1 hour;
- At the end of the visit, Blake and Serenity presented Ms. McFadden with Valentine's Day cards; after reading Blake's card, Ms. McFadden reached down, hugged him and said "Thank you;"
- When Ms. McFadden read Serenity's card, she paused then demanded to know why Serenity had written the words "Mommy Jaimie" on the front; Ms. McFadden became visibly angry and caused Serenity to become afraid of her; Ms. McFadden kept on insisting that it must have been Theresa Morales who told Serenity to write this, and Serenity insisted that it was not; Ms. McFadden became enraged and pulled Serenity towards her and bit her on the right cheek, and Serenity began to scream and cry; he immediately ended the visit and told Ms. Morales what happened at the visit; Serenity also told Ms. Morales what happened.

Status Conference

DOD: 12/23/06	<p>JUANITA HARLAN, daughter, was appointed Administrator with full IAEA without bond on 8/28/07 and Letters issued on 11/21/07.</p> <p>Inventory and Appraisal filed 11/2/07 valued the property at \$225,000.00 as of 12/23/06.</p> <p>On 4/27/11, the court set a status hearing for failure to file a first account or petition for final distribution.</p> <p>Status Report filed 7/21/11 states the Administrator executed a new listing agreement for sale of the sole asset of the estate, real property located in Coalinga. The listing price is \$120,000.00 and the agreement is effective from July 15, 2011, through January 31, 2012. The Administrator is not yet in a position to file a petition for final distribution. The Administrator estimates that it will take approximately six months to sell the property and close the estate.</p> <p>Status Report filed on 3/28/12 states the original appraisal value of the property was \$225,000.00. The property has been listed for sale at \$120,000.00. An offer to purchase the property at \$50,000.00 was made on 8/29/11. This offer is \$70,000.00 below the listing price. The Administrator's cousin has expressed an interest in purchasing the property for \$70,000.00. Administrator is in discussions with her cousin for this purpose. The family member is no longer interested in purchasing the property for \$70,000.00 Administrator estimates that it will take approximately an additional 6 months for the residential real estate market to improve in order to find a bona fide purchaser and further to close the estate.</p> <p>Minute Order dated 04/03/12 set this matter for hearing on 05/01/12 and states: Court orders Mr. McComas to provide a declaration from broker stating how the sale price of property was established.</p> <p>Status Report filed 07/02/12 states: the sole asset of the estate is the decedent's house located at 196 E. Cherry Lane in Coalinga. The property has been listed for sale and an offer has been accepted by the Administrator for \$53,600.00. Escrow has been initiated and is expected to close within the next ten (10) days. The Administrator paid back taxes on the property to avoid a tax sale. Further delaying the close of escrow is the title company's pending receipt of information on a deed of trust recorded against the property in favor of the SBA. A notice of proposed action has been sent to all interested parties and no one objected to the sale. The CA Dept. of Health filed a claim against the property in the amount of \$65,922.32. The claim will only be partially satisfied when the proceeds from the sale are distributed. The Administrator won't be in a position to file a petition to close the estate until escrow closes on the sale of the property. It is estimated that it will take no more than one month to close escrow and prepare and file a petition for final distribution. The estate is expected to be insolvent.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 05/01/12</u></p>
Cont. from 050112		
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		Reviewed by: JF
		Reviewed on: 07/03/12
		Updates:
		Recommendation:
		File 7 - Diaz

Status Hearing Re: Petition for Distribution

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Per Minute Order 6-28-12, this hearing date was vacated and continued to 8-9-12.
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		Reviewed by: skc
		Reviewed on: 7-3-12
		Updates:
		Recommendation:
		File 8 - Scharton

DOD: 06/10/09	<p>DOUGLAS E. VOELKEL & KAREN L. MUZZY, children, were appointed as Special Administrators on 08/03/11 and Letters were issued on 08/08/11. The Letters of Special Administration will expire on 02/01/12.</p> <p>Petitioners requested to appointment as Special Administrators for the purpose bringing a Quite Title/Adverse Possession action on behalf of the estate.</p> <p>Minute Order from 08/03/11 hearing states: Declination to Act as Executor/Special Administrator accepted and filed in court. The Court extends the special letters to 02/01/12. The Court advises counsel that the special letters will be subject to further extension.</p> <p>Minute Order from 02/01/12 hearing states: Counsel advises the Court that a lawsuit has been filed to quiet title. He further advises that the publication will end the first week of March at which time he intends to file a Petition for Succession. Counsel requests a continuance.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/01/12</u></p> <p>1. Need status update.</p> <p>Note: It appears that a Petition to Determine Succession was filed by Petitioner Karen Muzzy on 06/29/12 (12CEPR00587) and is set for hearing on 08/07/12.</p>
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File 9 - Voelkel		

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 6 DOB: 06/21/05	TEMPORARY EXPIRES 07/10/12	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 05/02/12 Minute Order from 05/02/12 states: The Court on its own motion grants a temporary guardianship in favor of Cynthia Williams. The temporary expires on 07/10/12. The court orders that the minor not leave the state of California. Visitation to be determined among the parties. Matter is continued to 07/10/12 for ICWA notice to be provided. As of 07/03/12, the following remains outstanding: 1. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice for: - Emery Hayes (paternal grandfather) - Maternal grandfather (unknown) Note: Declarations of Due Diligence have been filed for both grandfathers stating that their identity and/or whereabouts are unknown. 2. Petitioner has not indicated that the child may have Indian ancestry; however the court continued the matter so that ICWA notice could be provided. <u>If the child does have Indian Ancestry</u> , need completed Notice of Child Custody Proceeding for Indian Child (Form ICWA-030) to be completed and returned to the Probate Clerk's Office <u>as soon as possible</u> . (Form is in the file to be provided to Petitioner).
	CYNTHIA WILLIAMS , paternal grandmother, is Petitioner. Father: DARRIS HAYES – consent and waiver of notice filed 02/02/12 Mother: ALICIA SALINAS – served by mail on 03/16/12; consent & waiver of notice filed 04/02/12 Paternal grandfather: EMERY HAYES – declaration of due diligence filed 02/02/12 Maternal grandfather: UNKNOWN – declaration of due diligence filed 02/02/12 Maternal grandmother: MERCY MORENO – consent and waiver of notice filed 02/02/12 Petitioner states that the mother is unable to care for the minor. At a SDM Safety Plan meeting, CPS placed the minor in the Petitioners care. Petitioner states that she would like to provide him with a loving, stable home. Court Investigator Charlotte Bien's report was filed 03/16/12.	
Cont. from 040412, 050212		
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		Reviewed by: JF
		Reviewed on: 04/24/12
		Updates:
		Recommendation:
		File 11 – Salinas-Mora

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Miguel Malagon)

Age: 4	<p style="text-align: center;"><u>TEMPORARY EXPIRES 07/10/12</u></p> <p>MIGUEL MALAGON, maternal grandfather, is Petitioner.</p> <p>Father: SALVADOR REYES TORRES</p> <p>Mother: KIMBERLY MALAGON</p> <p>Paternal grandfather: SALVADOR TORRES Paternal grandmother: TERESA TORRES</p> <p>Maternal grandmother: TRINIDAD GUILLEN</p> <p>Petitioner states that the minor has lived with him since birth. The mother comes in and out of the home and does not provide for the child's day to day needs. The mother is gang affiliated and uses drugs. In January 2012, mother took the minor from Petitioners home and left her with the paternal grandmother, Teresa Torres. Ms. Torres brought the minor back to Petitioners home and stated that she could not keep her safe. She stated that some men with guns came to her home demanding to take Angelina and said they were looking for the mother. Petitioner states that he fears for the minor's safety if her mother takes her because of her gang affiliation.</p> <p>Court Investigator Jennifer Young's report was filed 03/29/12.</p> <p>Court Investigator Jennifer Young filed an additional report on 05/21/12.</p> <p>Court Investigator Jennifer Young filed a Supplement Report on – NEED REPORT.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 05/29/12</u> Minute Order from 05/29/12 states: Also present in the courtroom are Teresa Torres and Gloria Garcia. Prior to mother Kimberly Malagon appearing, the Court dispensed with further notice to her unless and until her address became known. Matter continued to 07/10/12. The temporary is extended to 07/10/12. The Court directs that a court investigator contact mother and father and conduct a further investigation as to where the child has spent the majority of her time. Mother provides her contact information to the Court. Father provides his contact information to the Court.</p> <p>See Page 12B for competing Petition of Paternal Grandmother, Teresa Torres.</p> <p>As of 07/03/12, the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Salvador Reyes Torres (father) - Kimberly Malagon (mother) 3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Salvador Torres (paternal grandfather) - Teresa Torres (paternal grandmother) - Trinidad Guillen (maternal grandmother)
DOB: 03/04/08		
Cont. from 041012, 052912		
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	<p>Reviewed by: JF</p> <p>Reviewed on: 07/03/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12A - Malagon</p>	

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Teresa deJesus Torres)

Age: 4 DOB: 03/04/08	TERESA DeJESUS TORRES, paternal grandmother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 05/29/12 Minute Order from 05/29/12 states: Also present in the courtroom are Teresa Torres and Gloria Garcia. Prior to mother Kimberly Malagon appearing, the Court dispensed with further notice to her unless and until her address became known. Matter continued to 07/10/12. The temporary is extended to 07/10/12. The Court directs that a court investigator contact mother and father and conduct a further investigation as to where the child has spent the majority of her time. Mother provides her contact information to the Court. Father provides his contact information to the Court.</p> <p>As of 07/03/12, the following items remain outstanding:</p> <p>4. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: - Kimberly Malagon (mother)</p> <p>5. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: - Miguel Malagon (maternal grandfather/temporary guardian) - Trinidad Guillen (maternal grandmother)</p>
	Father: SALVADOR REYES TORRES – consent and waiver of notice filed 03/27/12	
	Mother: KIMBERLY MALAGON – declaration of due diligence filed 04/05/12	
Cont. from 052912	Paternal grandfather: SALVADOR TORRES – consent & waiver of notice filed 03/27/12	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: MIGUEL MALAGON – competing Petitioner/temporary guardian	
<input checked="" type="checkbox"/> Verified	Maternal grandmother: TRINIDAD GUILLEN	
<input type="checkbox"/> Inventory	Petitioner states that the minor has not received stable adult guidance and supervision. Her mother is gang affiliated and is constantly exposing the minor to gangs. Petitioner states that the temporary guardianship is necessary to provide a safe and stable home to the minor.	
<input type="checkbox"/> PTC	Declaration of Petitioner filed 03/27/12 attaches a notarized letter dated 01/31/12 in which the mother grants legal guardianship of the minor to Petitioner in the mother's absence. There is also a letter from the mother dated 02/26/12 that states that her father (competing Petitioner, Miguel Malagon) is a very aggressive man and wants things done his way. The declaration also states that the maternal grandfather/competing Petitioner tricked her (Paternal grandmother) into signing a consent & waiver of notice for his guardianship Petition. Petitioner states that he bullied her into signing the paper and she did not know what it was for. Further attached to the declaration are letters of reference from friends and associates attesting to Ms. Torres' character, as well as documents from various social service agencies from whom she receives assistance.	
<input type="checkbox"/> Not.Cred.	Court Investigator Jennifer Young filed a report on 05/21/12.	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Jennifer Young filed a supplemental report on – NEED REPORT.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petition for Appointment of Guardian of the Person (Prob. C. 1550)

Age: 2 DOB: 07/13/2009		TEMPORARY EXPIRES 07/10/2012		NEEDS/PROBLEMS/COMMENTS:	
		RUTH MARIE BRISENO , paternal grandmother, is Petitioner.		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
		Father: ANGEL MUNIZ , consents and waves notice		of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Mother: JUANITA CHAVEZ , consents and waives notice		<ul style="list-style-type: none"> • Rojelio Muniz, Sr. (Paternal grandfather) 	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg		w		
✓	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV / KT	
				Reviewed on: 07/03/2012	
				Updates:	
				Recommendation:	
				File 14 - Muniz	